



# Water Quality NewsFlash

Published by California Department of Transportation, Division of Environmental Analysis, Office of Water Quality

January 17, 2005

Number 05-03

**ASBS – Board holds stakeholder meeting** – In October, the SWRCB sent letters to Caltrans, cities, and others with discharges into one or more of the 34 Areas of Special Biological Significance. The Board has identified 1,658 discharges, mostly stormwater, into the coastal ASBS. The letters said that the parties involved had to either cease the discharge of wastewater, including stormwater, or request an exception from the Ocean Plan. (See *NewsFlash 04-50* for more information.) The January 13 meeting at the Scripps Institution of Oceanography in La Jolla brought together a wide assortment of dischargers including coastal municipalities, park services, U.S. Fish & Wildlife Service, and several academic research institutions. Scripps applied for an exception two years ago and presented information on their experience. They have received the exception but their discharge permit, incorporating the exception, is still being negotiated. They indicated their costs were roughly \$200,000 for the exception and that they expected to spend at least \$10M during the first 5 years of the permit to meet exception requirements. Their discharges consisted of both stormwater and wastewater from their aquaria. They are also considering diverting their discharge around the ASBS.

The exception requires proof that the discharge is not impacting natural water quality in the ASBS. Several participants requested more information on the required types of chemical and biological monitoring needed to make this demonstration. One participant noted that “teasing out” the cause of changes in marine biota is very difficult since species composition and characteristics routinely change from year to year. A representative from the Coastal Conservancy said that exceptions should be temporary, and any discharges should comply with Table C in the Ocean Plan or a formally established description of natural water quality (Table C specifies zero concentration for all but six constituents). A committee is being formed, possibly within a month, to define “natural” in this context.

The Board staff encouraged stakeholders to work cooperatively to address these requirements. Meetings of discharger groups will likely be held in the coming months. Lists and descriptions of ASBS are posted: <http://www.waterboards.ca.gov/plnspols/oplans/asbs.html>

**CASQA – Meeting** – The January 14 meeting of the California Stormwater Quality Association included updates from the SWRCB and EPA Regional IX. Tom Howard, Deputy Director of the Board, said that the highly anticipated draft Construction General Permit will be released in a couple of months. It will incorporate ideas generated at the October 21 Conference on Advanced Treatment for Construction Sites. The monitoring may also be revised and is intended to resolve litigation with the WaterKeepers that has been ongoing for about 5 years. Dr. Howard pointed out that the Board has been successful to date in defending its “iterative” approach to stormwater permits (i.e., stormwater does not need to comply with numeric limits applied to the discharge but exceedances of water quality standards must be reported and trigger a revision of the stormwater management plan). Alexis Strauss, Water Division Director at EPA, reported on her agency’s ongoing audits of municipal stormwater programs. EPA is also completing around 500 stormwater inspections of industrial facilities.

WQ NewsFlash is a weekly update of storm water and related news for the Department. *Verify information before taking action on these bulletins.* Contact Betty Sanchez, [Betty\\_Sanchez@dot.ca.gov](mailto:Betty_Sanchez@dot.ca.gov) (916) 653-2115, or Fred Krieger, (510) 843-7889, [fkrieger@msn.com](mailto:fkrieger@msn.com) with questions or to be added or deleted from e-mail list. Posted online at: <http://www.dot.ca.gov/hq/env/stormwater/publicat/newsflash/index.htm>